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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/158,728

09/22/1998

STEVEN CRAIG WEIRATHER

A019-P08038US

4296

33356 7590 05/01/2008

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EXAMINER

CHEVALIER, ALICIA ANN

ART UNIT

PAPER NUMBER

1794

MAIL DATE

DELIVERY MODE

05/01/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/158,728	<b>Applicant(s)</b> WEIRATHER ET AL.	
	<b>Examiner</b> Alicia Chevalier	<b>Art Unit</b> 1794	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 548-567, 569-584, 586, 588-695 and 697-739 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 548-567, 569-584, 586, 588-695 and 697-739 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **RESPONSE TO AMENDMENT**

### ***Request for Continued Examination***

1. The Request for Continued Examination (RCE) under 37 CFR 1.53 (d) filed on February 11, 2008 is acceptable and a RCE has been established. An action on the RCE follows.
2. Claims 548-567, 569-584, 586, 588-695 and 697-739 are pending in the application, claims 1-57, 568, 585, 587 and 696 have been cancelled.
3. Amendments to the claims, filed on February 11, 2008, have been entered in the above-identified application.

### ***WITHDRAWN REJECTIONS***

4. The 35 U.S.C. §112 rejections made of record in the office action mailed October 9, 2007, pages 3-6, paragraph#9-10 and #12-#13 have been withdrawn due to Applicant's amendment in the response filed February 11, 2008.

### ***REJECTIONS REPEATED***

5. The objections to the claims are repeated for reasons previously made of record in the office action mailed October 9, 2007, pages 2-3, paragraphs #4-#8.
6. The 35 U.S.C. §112 rejections of claims 589, 628, 663-729 and 739 is repeated for reasons previously made of record in the office action mailed October 9, 2007, pages 4-5, paragraph#11.

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7. The 35 U.S.C. §103 rejection of claims 548-571, 577, 578, 580-611, 617, 618, 620-649, 655, 656, 658-680, 683, 684, 686-714, 719, 720 and 722-739 as over McKillip (U.S. Patent No. 5,462,488) in view of Popat et al. (U.S. Patent No. 5,407,718) is repeated for reasons previously made of record in the office action mailed October 9, 2007, pages 6-57, paragraph #14.

8. The 35 U.S.C. §103 rejection of claims 572, 573, 612, 613, 650, 651, 681, 682, 715 and 716 over McKillip in view of Popat and further in view of Hickenbotham et al. (U.S. Patent No. 4,704,317) is repeated for reasons previously made of record in the office action mailed October 9, 2007, pages 57-58, paragraph #15.

9. The 35 U.S.C. §103 rejection of claims 574-576, 614-616, 652-654, 717 and 718 over McKillip in view of Popat and further in view of Klein (U.S. Patent No. 5,198,275) is repeated for reasons previously made of record in the office action mailed October 9, 2007, pages 58-59, paragraph #16.

10. The 35 U.S.C. §103 rejection of claims 579, 619, 657, 685 and 721 over McKillip in view of Popat and further in view of Carlson (U.S. Patent No. 5,842,722) is repeated for reasons previously made of record in the office action mailed October 9, 2007, pages 59-60, paragraph #17.

#### ***NEW REJECTIONS***

11. **The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.**

***Specification***

12. The amendment filed February 11, 2008 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: Thus, as illustrated in FIG. 12 and other figures the subject sheet-fed sheet is free of tractor-feed perforations. The border portion surrounding the cards is also free of weakened lines and of perforations, as shown in the drawings.

Applicant is required to cancel the new matter in the reply to this Office Action.

***ANSWERS TO APPLICANT'S ARGUMENTS***

13. Applicant's arguments in the response filed February 11, 2008 regarding the 35 USC 112 rejections of record have been considered but are moot since the rejections have been withdrawn.

14. Applicant's arguments in the response filed February 11, 2008 regarding the limitation "free of adhesive between the film and the continuous sheet" of record have been carefully considered but are deemed unpersuasive.

Applicant argues that McKillip does not disclose that the printable business card sheet is free of adhesive between the film and the continuous sheet and that the deadener does not deaden the adhesive as the Examiner contends.

The examiner disagrees and maintains that the deaden portions of the adhesive meets the limitation free of adhesive between the film and the continuous sheet. As can be seen the base structure of McKillip is first material and a second material. The first

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material is a multilayered continuous sheet and the second material is a multilayer facestock sheet construction with film (*figure 6 and lines 15-30*). While the first material comprises an adhesive the upper portion of the adhesive which contacts the film/second material/facestock sheet construction is deadened to not be adhesive. Therefore, McKillip is free of adhesive at the interface of the film and the continuous sheet, since the adhesive of the continuous sheet of McKillip is deadened at the interface.

15. Applicant's arguments in the response filed February 11, 2008 regarding the limitation "continuous sheet is directly adjacent to the film layer" of record have been carefully considered but are deemed unpersuasive.

Applicant argues that McKillip does not disclose that the "continuous sheet is directly adjacent to the film layer". The examiner disagrees. The fact that the continuous sheet in McKillip is a multilayered continuous sheet is irrelevant. As discussed about the continuous sheet/first material is directly adjacent to the film layer/multilayered second material.

16. Applicant's arguments in the response filed February 11, 2008 regarding the limitation "continuous sheet bonded to the film layer without adhesive" of record have been carefully considered but are deemed unpersuasive.

Applicant argues that McKillip does not disclose that the "continuous sheet bonded to the film layer without adhesive". As discussed above since there is an adhesive deadener between the film and the adhesive layer of the continuous sheet, it is bonded without adhesive.

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17. Applicant's arguments in the response filed February 11, 2008 regarding the limitation "delamination at the interface of the film layer and the continuous sheet" of record have been carefully considered but are deemed unpersuasive.

Applicant argues that McKillip does not disclose that the "delamination at the interface of the film layer and the continuous sheet". As discussed above the base structure of McKillip is first material and a second material. The first material is a multilayered continuous sheet and the second material is a multilayer facestock sheet construction with film (*figure 6 and lines 15-30*). The delamination occurs between the first material/continuous sheet and the second material/ facestock sheet construction with film.

18. Applicant's arguments in the response filed February 11, 2008 regarding the limitation "printable business card sheet is free of tractor-feed perforations" of record have been carefully considered but are deemed unpersuasive.

Applicant argues that McKillip disclose tractor-feed perforations. Applicant has clearly pointed out how the language of the claims distinguishes over the art and rejection.

### ***Conclusion***

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Chevalier whose telephone number is (571) 272-1490. The examiner can normally be reached on Monday through Friday from 8:00 am to 4:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye, can be reached on (571) 272-3186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Alicia Chevalier/  
Primary Examiner, Art Unit 1794  
5/1/2008